



Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : James Barry et al.  
Group Art Unit : 3738  
Application No. : 09/842,833  
Examiner : Alvin J. Stewart  
Filed : April 27, 2001  
Docket No. : 12013/58401  
For : METHOD AND SYSTEM FOR DELIVERY OF  
COATED IMPLANTS

MAIL STOP AMENDMENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action, Notice of Allowance, or any action that otherwise closes prosecution.

09/26/2005 HAL111 00000059 110600 09842833

01 FC:1806 180.00 DA


ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AS/

Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 CFR §1.97(c)(2).

Respectfully submitted,

KENYON & KENYON

Date: September 22, 2005

  
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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. CMB 0651-0031  
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Form 1449A/PTO**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	09/842,833
Filing Date	April 27, 2001
First Named Inventor	James Barry et al.
Art Unit	3738
Examiner Name	Alvin J. Stewart
Attorney Docket Number	12013/58401

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-6,096,056	08-01-2000	Brown	
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>2</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

Examiner Signature	/Alvin Stewart/	Date Considered	11/21/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
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☒ Deposit Account:

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Deposit Account Name Kenyon & Kenyon

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
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☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395			Utility filing fee	
1002	350	2002	175			Design filing fee	
1003	550	2003	275			Plant filing fee	
1004	790	2004	395			Reissue filing fee	
1005	160	2005	80			Provisional filing fee	

SUBTOTAL (1) (\$) 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20 \*\* =  X  18 =  Fee Paid

Independent Claims  -3 \*\* =  X  88 =

Multiple Dependent  X  =  0

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	16	2202	9			Claims in excess of 20
1201	88	2201	44			Independent claims in excess of 3
1203	300	2203	150			Multiple dependent claim, if not paid
1204	88	2204	44			** Reissue independent claims over original patent
1205	18	2205	9			** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65			Surcharge - late filing fee or oath	
1052	50	2052	25			Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130			Non-English specification	
1812	2,520	1812	2,520			For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*			Requesting publication of S/R prior to Examiner action	
1805	1,840*	1805	1,840*			Requesting publication of S/R after Examiner action	
1251	120	2251	60			Extension for reply within first month	
1252	450	2252	225			Extension for reply within second month	
1253	1,020	2253	510			Extension for reply within third month	
1254	1,590	2254	795			Extension for reply within fourth month	
1255	2,160	2255	1,080			Extension for reply within fifth month	
1401	500	2401	250			Notice of Appeal	
1402	500	2402	225			Filing a brief in support of an appeal	
1403	300	2403	150			Request for oral hearing	
1451	1,510	1451	1,510			Petition to institute a public use proceeding	
1452	110	2452	55			Petition to revive - unavoidable	
1453	1,370	2453	685			Petition to revive - unintentional	
1501	1,370	2501	685			Utility issue fee (or reissue)	
1502	490	2502	245			Design issue fee	
1503	660	2503	330			Plant issue fee	
1460	130	1460	130			Petitions to the Commissioner	
1807	50	1807	50			Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180			Submission of Information Disclosure Stmt	180
8021	40	8021	40			Recording each patent assignment per property (times number of properties)	
1809	790	2809	395			Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395			For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395			Request for Continued Examination (RCE)	
1802	900	1802	900			Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

## SUBMITTED BY

Name (Print/Type)	Fred T. Grasso	Registration No. (Attorney/Agent)	436441	Telephone	202.220.4200
Signature		Date	September 22, 2005		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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